REGULATORY ENFORCEMENT: WINNING THE DEBATE

We can solidly win the regulatory debate with the new framing of increased enforcement. As we have seen in focus groups, polls, and dial groups, the call for tougher, fairer and increased enforcement (with penalties) beats their message of killing jobs, increasing costs, and hurting small business. Furthermore, the frame of increasing tough and fair enforcement is a winning strategy on regulatory debates even in the Trump era. With this frame, we win at least two-thirds of Democrats independents and Republicans on the question of increased enforcement at both the national and state level.

A strong economic populist vein runs through this debate as well. There is broadly shared acknowledgement that big business too often promotes the interests of profit above the health and safety of people and the environment. Message frames highlighting the need to protect Americans from economic devastation are only slightly less compelling, offering progressives an important entrée point to reclaim this critical economic debate.

In four protracted head-to-head debates, pro-enforcement messages consistently win over the opposition's arguments with Base and Persuasion/Conflicted voters (the vast majority of voters) even when up against 'job-killing, cost-increasing' arguments. Pro-enforcement messages win when we focus on enforcing existing rules, penalizing violators and tougher enforcement.

The strongest debate arguments focus on safeguarding Americans from harm to public health and safety (including both the WV and West TX case studies), as well as the need for "common sense enforcement" of rules and laws that "ensure our air and water are clean" – a specific clean water argument that references Flint, MI reinforces this (and even wins against the anti-enforcement response among Republicans).

And in keeping with the populist sentiment that informs this debate, messaging around taking on big corporations and inadequate penalties for actors and punishing those who cause harm to American's physical or economic well-being (with the need for tougher penalties) also resonates powerfully with Base and Persuasion/Conflicted voters, who comprise the vast majority of the electorate.

Base (21% of voters)	Persuadables (63% of voters)	Opposition (16% of voters)
• Strongly believe increased enforcement of nation's laws and regulations is a good thing • Say the enforcement of our laws and regulations in the U.S. generally works/ succeeds • Disagree that excessive regulation is costing Americans money and costing the economy jobs • More likely to be female, Democrat, and residents of the Northeast than counterpart groups and electorate overall	• Hold conflicting and sometimes contradictory positions with regards to their perceptions of—and support for—increased enforcement of laws and regulations • Support enforcement, but worry about potential for excessive regulations to cost Americans money and jobs • More closely mirror popular vote margin in 2016 vote, but skew more likely to be comprised of Millennials and from the West than all voters	• Believe increased enforcement of nation's laws and regulations is bad--or at best only somewhat good • See enforcement of our laws and regulations in the U.S. generally not working/ failing more often than succeeding • Agree that excessive regulation is costing Americans money and jobs • More likely to be male, Republican, older, white and from the Midwest than electorate overall

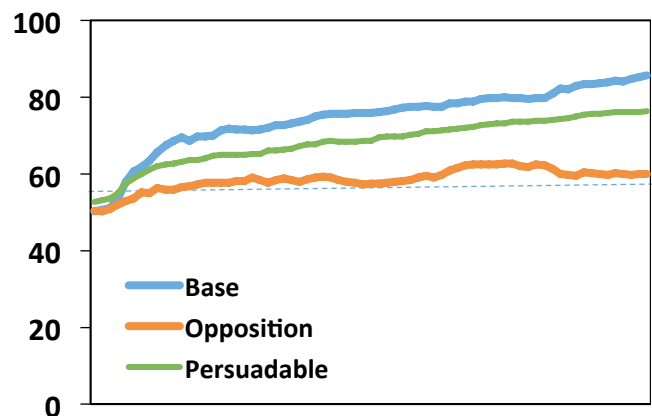# ENGAGING THE DEBATE & BESTING THE OPPOSITION

LRP conducted a nationwide online survey of 1000 registered voters, which included a **mock debate** of four 'US Representatives' discussing issues related to enforcement of regulations (two pro-enforcement Reps and two anti-enforcement Reps). Each delivered two statements—a more general commentary and a more pointed argument regarding the impact of enforcement (or lack thereof) on jobs or water safety. The **moment-to-moment responses** to these messages allow for **analysis** at a more **unconscious level** than traditional testing.

If this were an actual, televised debate, pro-enforcement officials would be deemed the winners. Despite the anti-enforcement position beginning the debate, all four pro-enforcement arguments test higher than the opposition's anti-enforcement rhetoric, including among Base and Persuasion/Conflicted voters. Our **strongest** debate **arguments** focus on **safeguarding Americans from physical and economic harm** (including **WV and West TX case studies**), as well as a specific **clean water argument** that references **Flint, MI**. Persuasion/Conflicted targets support increased enforcement of regulation at the completion of the debate, despite initial cost and jobs concerns. What's more there is a **consistent arc in reactions to pro-enforcement messaging**—dial scores increase steadily in reaction to each, creating a powerful narrative.
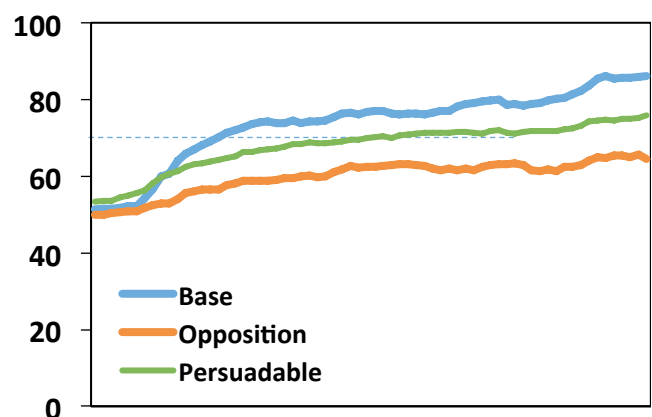
#1 Message – Safeguarding Americans w/Examples

*Enforcement of our laws is about safeguarding Americans. And when done properly, enforcement can prevent economic catastrophe, protect our health, and save lives. When enforcement of public protections is neglected, the results can be disastrous. In 2013, an **explosion at a small fertilizer facility in West, Texas killed 15 people, including 12 first responders, and destroyed three schools, a nursing facility, and hundreds of homes**. In 2014 an estimated **10,000 gallons of toxic chemical waste leaked from a private storage facility into a West Virginia river due to lax enforcement. The leak contaminated the drinking water supply of over 300,000 residents, putting pregnant women, seniors, and children at risk**. The water system **hadn't been tested in over a decade, and warnings of contamination were ignored**. We need strong and improved enforcement to prevent deadly situations like these from threatening American communities. **Tough but fair enforcement of our laws helps keep Americans safer** from physical and economic harm.*
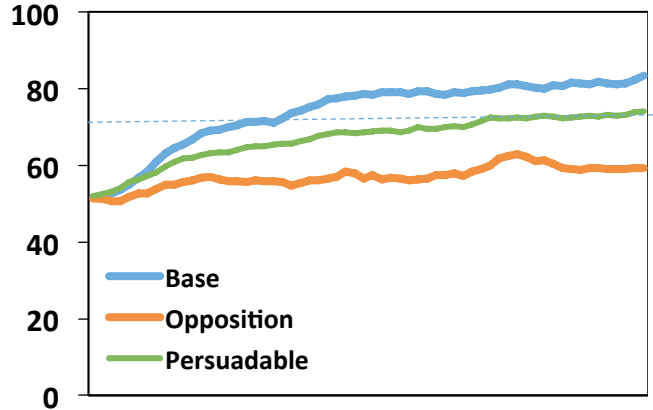

#2 Message – Enforcement of Water Systems

*When we are talking about the enforcement of regulation, we need to talk about **water contamination**. We've seen it in West Virginia and most recently in **Flint, Michigan. It's a major problem, but it's fixable, if we do our jobs and enforce existing standards to ensure clean water for all communities**. While Flint's case appears extreme, **lead-contaminated tap water is a national problem. For the last two years, EPA data show that 18 million people used water systems that had lead levels that violate current standards. These figures don't even count our schools.** And it's not just lead that threatens our water supplies. Remember, **lax enforcement in 2014 led to an estimated 10,000 gallons of toxic chemical waste leaking into a West Virginia river**. Corporate lobbyists and cash have persuaded politicians to weaken the enforcement of laws protecting our waterways. We need to ensure disasters like this don't happen again. **Those who violate the rules should face tough penalties, including jail time. We need to prevent the actions of a wealthy few from threatening the health of entire communities.***

LRP LAKE RESEARCH PARTNERS
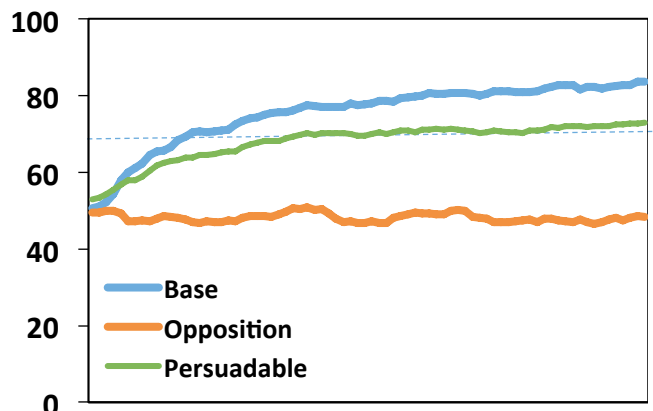Strategy · Precision · Impact

#3 Message – Commonsense Enforcement

*Commonsense enforcement of our rules and laws is key to ensuring that our air and water are clean, that the food we eat is safe, that the products we buy are free from harmful toxins and other dangers, and that big banks and Wall Street institutions do not take advantage of consumers or put the economy in jeopardy. Too often, we've seen **big businesses and a wealthy few promote their profit interests above the health, safety, and welfare of ordinary people and our environment**. We see the evidence every day: BP's Deepwater Horizon explosion that killed 11 workers and wreaked havoc on the Gulf Coast economy; Volkswagen scheming to avoid air quality standards; and Wells Fargo bank employees opening millions of phony accounts to meet sales goals. **Fair and tough enforcement of regulation** is critical to **reducing pollution, protecting families from harmful business practices, preventing deadly mistakes that threaten entire communities, and holding Wall Street and big business accountable for their actions**.*

#4 Message – Enforcement Helps Jobs/ Economy

*The **benefits of fair regulation far exceed the costs. Regulations that ensure things like clean water, clean air, and financial responsibility, create good jobs and put money in the pockets of working families, not just shareholders. Investment in our water infrastructure will create hundreds of thousands of well-paid jobs, save money in the long-run, provide communities with a stable water supply, and protect our health.** And let's talk clean energy. The solar industry has created **one out of every 80 jobs in the United States since the Great Recession and the industry pays well**. Solar has **hired more veterans than any other industry** and **retrained coal, oil, and gas workers who had lost their jobs**. Official estimates indicate that the economic benefits of regulations are as much as nine-and-a-half times the costs. And that's just benefits we can measure in dollars. Regulations save lives, protect our health, and help build stronger, more resilient communities. So let's stop with the rhetoric and **focus on the facts.** We can **hold businesses equally accountable by enforcing common-sense regulations while building our economy**.*

Methodology

The Bauman Foundation and the State Innovation Exchange commissioned Lake Research Partners to conduct an online survey of 1,000 registered voters on issues related to regulation and the enforcement of regulations in the US. The survey fielded between November 14th and 22nd, 2016.

In addition to more typical close-ended survey questions, the online survey included an 'online dial test' – an A/V portion similar in format and function to an in-person, instant response dial session. This methodology allows for analysis at a more unconscious level than does traditional message testing.
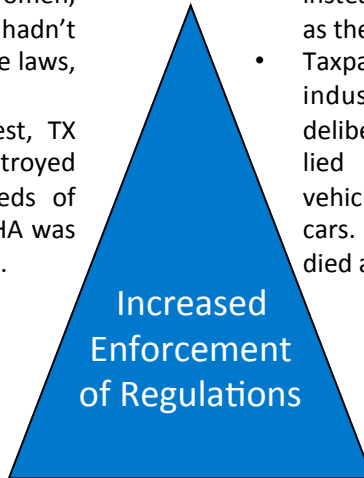
In this instance, Lake Research in conjunction with Putnam Partners, filmed and tested a mock debate consisting of four 'US Representatives' discussing issues related to the enforcement of regulation in the US (two articulating pro-enforcement positions and the other two articulating anti-enforcement positions). Each Representative delivered two statements – one a more general commentary on the state of regulation in the US and the other a more pointed argument with regards to the impact of enforcement (or lack thereof) on jobs or water safety.

This exercise was designed to provide a language analysis of the frames and messages that would be most effective in growing support for increased enforcement of regulation at the national and state levels.

LRP LAKE RESEARCH PARTNERS
Strategy · Precision · Impact

WORDS THAT WORK & MESSAGE TRIANGLE

Protect Health & Safety of Americans

- Flint not the only example of lax enforcement, lead-contaminated tap water is national problem; 18M use water systems with lead levels that violate current standards—not incl. schools.
- 2014: est. 10,000 gallons of toxic chemical waste leaked into WV river, contaminating drinking water for over 300,000 residents, putting pregnant women, seniors, and children at risk. Water system hadn't been tested in over a decade, in violation of the laws, and warnings of contamination were ignored.
- 2013: explosion at a fertilizer facility in West, TX killed 15, incl. 12 first responders, and destroyed three schools, a nursing home, and hundreds of homes. Last time facility was inspected by OSHA was 1985, despite serious violation got just $30 fine.

Restore Balance: Prevent Economic Disasters

- System is out of balance, favoring wealthy & powerful over ordinary Americans & small biz.
- Can't trust big business to police itself when penalties are so low. Employers who have workplace death fined avg. of $7k. Wall St. execs responsible for financial collapse avoided prosecution, got bonuses instead. Execs should be held to the same standards as the rest of us--incl. criminal penalties, even jail.
- Taxpayers spent millions of dollars bailing out auto industry while some of the same companies deliberately broke US laws, jeopardizing lives. VW lied about dangerous emissions for millions of vehicles, GM ignored evidence of fatal defects in its cars. Until they were caught, hundreds of drivers died and untold damage was done to our air quality.

Increased Enforcement of Regulations

Enforcement Works

- Proper enforcement of our laws can ensure everyone plays by the same set of rules. Regulations that ensure things like clean water, clean air, and financial responsibility, create good jobs and put money in the pockets of working families, helping entire communities not just shareholders.
- Whether prohibiting big banks from destroying our economy, stopping the credit card industry from charging billions in hidden fees, or preventing the tax cheats from hiding trillions in offshore tax havens, or preventing polluters from poisoning our air and water, tough but fair enforcement of our laws helps keep Americans safer from physical and economic harm.

Strengths of Our Side
We can't trust big businesses and corporations to police themselves (esp. when penalties are so minimal)
Protect health, save lives
Big corporations promoting profits above the health and safety of Americans
Big corporations, not just ordinary Americans, need to be held accountable for their actions
System is out of balance, favoring the wealthy and powerful over ordinary Americans and small businesses
Industry lobbyists are easily able to buy politicians
Effective enforcement of regulations can create jobs & good wages
Safeguarding Americans from an economic catastrophe
Investment in water infrastructure will create hundreds of thousands of well-paid jobs
Benefits of fair regulation far exceed the costs

Vulnerabilities/Strengths of the Opposition
Staggering costs of Federal debt costing taxpayers and small businesses
Regulations often put too much power in the hands of a few out of touch bureaucrats
Case studies are isolated examples not indicative of a systemic problem, and more government is not the answer
Small business are crushed by the weight of bureaucratic red tape and burdensome regulations